ESTTA Tracking number:

ESTTA521333 02/13/2013

Filing date:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

### **Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

### **Opposer Information**

Name	Bach Flower Remedies Limited
Granted to Date of previous extension	02/13/2013
Address	Nelsons House, 83 ParksideWimbledon London, SW19 5LP UNITED KINGDOM

Domestic	Donna J. Bunton
Representative	Nixon & Vanderhye, P.C.
	11th Floor 901 North Glebe Road
	Arlington, VA 22203
	UNITED STATES
	nixonptomail@nixonvan.com Phone:703-816-4003

## **Applicant Information**

Application No	85625402	Publication date	10/16/2012
Opposition Filing Date	02/13/2013	Opposition Period Ends	02/13/2013
Applicant	Nutri-Health Supplements, LL 260 Justin Drive Cottonwood, AZ 86326 UNITED STATES	С	

## Goods/Services Affected by Opposition

Class 005.

All goods and services in the class are opposed, namely: Dietary supplements; Nutritional supplements

# **Grounds for Opposition**

Priority and likelihood of confusion	Trademark Act section 2(d)
1 Hority and intellihood of cornadion	Trademark Act Scotlon 2(d)

# Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1237564	Application Date	11/17/1980
Registration Date	05/10/1983	Foreign Priority Date	NONE
Word Mark	RESCUE REMEDY		
Design Mark			
Description of	NONE		

Mark			
Goods/Services	Class 032. First use: First Us an Herbal Beverage Made fro Oils) Extracted from Flowers		se In Commerce: 1979/09/01 sing in the Nature of Essential
U.S. Registration No.	1822260	Application Date	03/12/1993
Registration Date	02/22/1994	Foreign Priority Date	NONE
Word Mark	RESCUE REMEDY		-
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Us	e: 1951/00/00 First U	se In Commerce: 1961/00/00
	homeopathic pharmaceutical alleviating emotional and mer		rom flower extracts for use in
U.S. Registration No.	2517685	Application Date	07/07/1997
Registration Date	12/11/2001	Foreign Priority Date	NONE
Word Mark	RESCUE		•
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Us	e: 2001/01/15 First U	se In Commerce: 2001/01/15
	homeopathic pharmaceutical alleviating emotional and mer		om flower extracts for
			se In Commerce: 2001/01/15
_	herbal food beverage concen of essential oils) extracted fro		ences (not being in the nature
	T	1 A 11 11 D 1	
U.S. Application No.	77485289	Application Date	05/28/2008
	77485289 NONE	Foreign Priority Date	05/28/2008
No.		Foreign Priority	
No.  Registration Date	NONE	Foreign Priority Date	11/29/2007

Goods/Services

Class 005. First use:

HERBS AND FLOWERS FOR MEDICINAL PURPOSES; MEDICINAL DRINKS
CONTAINING FLOWER REMEDIES; MEDICATED CONFECTIONERY;
MEDICATED CANDY, MEDICATED GEL CAPSULES AND MEDICATED
CHEWING GUM CONTAINING FLOWER REMEDIES; DIETARY
SUPPLEMENTS PREPARED FROM PLANTS AND FLOWERS; DIETARY AND
NUTRITIONALLY FORTIFIED FOOD PRODUCTS CONTAINING FLOWER
REMEDIES FOR TREATING EMOTIONAL SHOCK, TRAUMA AND OTHER
EMOTIONAL AILMENTS AND CONDITIONS; HOMEOPATHIC
PHARMACEUTICAL PREPARATIONS MADE FROM FLOWER EXTRACTS
FOR ALLEVIATING EMOTIONAL AND MENTAL STRESS; NUTRITIONAL
DRINKS FOR ANIMALS

Attachments	77485289#TMSN.jpeg ( 1 page )( bytes )
	BachvNutri-HealthNoticeOpp.pdf ( 21 pages )(2212418 bytes )

## **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Donna J. Bunton/
Name	Donna J. Bunton
Date	02/13/2013

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Trademark Application of	Atty. Ref.: 5027-146
Nutri-Health Supplements, LLC	
Serial No.: 85/625,402	
Filed: May 15, 2012	
Mark: ADVANCED CELL RESCUE	
For: Dietary supplements; nutritional supp	lements in Int. Class 5
Published in the <i>Official Gazette</i> of Octobe	er 16, 2012
Bach Flower Remedies Limited,	)
Opposer,	) )
V.	)
Nutri-Health Supplements, LLC	) )
	) )
Applicant.	

### **NOTICE OF OPPOSITION**

Bach Flower Remedies Limited, a private limited company of the United Kingdom, having its principal place of business at Nelsons House, 83 Parkside, Wimbledon, London SW19 5LP, United Kingdom (hereinafter "Opposer"), believes that it will be damaged by registration of the mark shown in Application Serial No. 85/625,402, filed May 15, 2012, and hereby opposes registration of the same.

The grounds are as follows:

- (1) Application Serial No. 85/625,402 seeks registration of the mark ADVANCED CELL RESCUE in Class 5 for *dietary supplements; nutritional supplements* (hereafter "Applicant's goods"). The application was filed May 15, 2012 and is based on Applicant's intention to use the mark in commerce pursuant to § 1(b) of the Trademark Act.
- (2) On information and belief, Applicant made no use of the mark ADVANCED CELL RESCUE prior to May 15, 2012.
- (3) Long prior to the filing date of Application Serial No. 85/625,402 on May 15, 2012, Opposer adopted and began using in commerce the marks RESCUE and RESCUE REMEDY for homeopathic pharmaceutical preparations; flower essence preparations; herbal food beverage concentrate made from flower essences, and related products (hereafter referred to collectively as "flower essence preparations"). Further, on May 28, 2008, Opposer filed Application Serial No. 77/485,289 to register the mark RESCUE for a range of herbal preparations and related goods, including dietary supplements prepared from plants and flowers, dietary and nutritionally fortified food products, medicated confectionery and other related goods in Class 5 (hereafter referred to collectively as "dietary supplements").
- (4) Opposer is the owner of the trademarks RESCUE and RESCUE REMEDY, among others, having continuously used the mark RESCUE REMEDY for flower essence preparations in commerce since 1961 and the mark RESCUE for *flower* essence preparations in commerce since January 15, 2001 and having filed Application Serial No. 77/485,289 to register the mark RESCUE on May 28, 2008 for *dietary* supplements.

- (5) Opposer duly registered the marks RESCUE and RESCUE REMEDY as trademarks in the United States Patent and Trademark Office, Registration Nos. 1,237,564 (issued May 10, 1983), 1,822,260 (issued February 22, 1994) and 2,517,685 (issued December 11, 2001). Opposer filed Application Serial No. 77/485,289 to register the mark RESCUE on May 28, 2008. Printouts from the Patent and Trademark Office website, TSDR, evidencing the current status and ownership of Registration Nos. 1,237,564, 1,822,260, 2,517,685 and of Application Serial No. 77/485,289 are annexed hereto as collective Exhibits A and B, respectively.
- (6) Registration Nos. 1,237,564, 1,822,260 and 2,517,685 are *prima facie* evidence of the validity thereof, Opposer's ownership and exclusive right to use the marks RESCUE and RESCUE REMEDY in commerce and are constructive notice of Opposer's ownership thereof, all as provided by §§ 7(b) and 22 of the Trademark Act of 1946. As Opposer's right to use the marks RESCUE and RESCUE REMEDY in commerce has become incontestable, Registration Nos. 1,237,564, 1,822,260 and 2,517,685 are conclusive evidence of Opposer's right to use said mark in commerce on the goods specified in the registrations, as provided by §§ 15 and 33(b) of the Trademark Act of 1946.
- (7) By virtue of Opposer's long, continuous and substantial promotion and sale of goods covered by Registration Nos. 1,237,564, 1,822,260 and 2,517,685, its use and bona fide intention to use the mark RESCUE for the goods covered by Application Serial No. 77/485,289, and its maintenance of high quality standards relating thereto, purchasers, consumers and users of such products, and others, have come to recognize the marks RESCUE and RESCUE REMEDY as indications of origin

in Opposer, as a consequence of which Opposer has established valuable goodwill and exclusive rights in the marks RESCUE and RESCUE REMEDY.

- (8) Opposer's marks RESCUE and RESCUE REMEDY and Applicant's mark ADVANCED CELL RESCUE are identical in part, each including the word "RESCUE."

  The word RESCUE is the dominant portion of Applicant's mark ADVANCED CELL RESCUE and Applicant's mark incorporates Opposer's mark RESCUE in its entirety.
- (9) Opposer's flower essence preparations and dietary supplements sold and intended to be sold under the marks RESCUE and RESCUE REMEDY and Applicant's goods intended to be sold or offered under the mark ADVANCED CELL RESCUE are identical or similar and closely related products which are or are likely to be offered through the same or overlapping channels of trade to the same or overlapping classes of purchasers so that purchasers, prospective purchasers, users and others are likely to be confused, mistaken or deceived into the belief, contrary to fact, that Applicant's goods offered under the mark ADVANCED CELL RESCUE emanate from and/or are in some way sponsored or approved by Opposer or are otherwise related to Opposer's RESCUE and RESCUE REMEDY flower essence preparations and dietary supplements, thereby damaging Opposer.
- (10) Applicant is not lawfully entitled to the registration which it seeks for the reason, *inter alia*, that the mark ADVANCED CELL RESCUE as used or intended for use for Applicant's goods so resembles Opposer's previously used and registered marks RESCUE and RESCUE REMEDY and its earlier-filed application to register the mark RESCUE as to be likely to cause confusion, to cause mistake or to deceive within the meaning of Section 2(d) of the Federal Trademark Act, thereby damaging Opposer.

WHEREFORE, Opposer prays that the present opposition be sustained and the registration of ADVANCED CELL RESCUE sought by Applicant be refused.

The requisite filing fee of \$300 is submitted herewith.

Bach Flower Remedies Limited

By its Attorneys

Date: February 13, 2013

By:

Donna J. Bunton (

NIXON & VANDERHYE P.C.

901 North Glebe Road, 11<sup>th</sup> Floor

Arlington, Virginia 22203

(703) 816-4003

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Notice of Opposition was served on Applicant's attorney at the following address by depositing same in the United States mail, postage prepaid, this 13<sup>th</sup> day of February, 2013:

Carrie Webb Olson, Esq. Day Pitney LLP 7 Times Square New York, NY 10036-6524

Donna J! Bunton

## **EXHIBIT A**

STATUS DOCUMENTS				Back to Search	Print
Generated on	: This page was generated by TSI	DR on 2013-02-13 13:22:44 EST			
	: RESCUE REMEDY				angerna konstantina a aktorio kanada antara malaha mananya mananya ka (1995-1997)
US Serial Number	; 73286900	Applicatio	n Filing Date: Nov. 17	, 1980	
US Registration Number	: 1237564	Regis	stration Date: May 10	, 1983	
Register	: Principal		00201900000-0000-000000		-dute-t
Mark Type	: Trademark			and the second s	7. Commission (1997)
Status	: The registration has been renew	ed.	711111111111111111111111111111111111111	90000000	AMERICAN CONTRACTOR CO
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Publication Date	: Feb. 15, 1983			201. (2019) 187. (2017) 1.	
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Mark Literal Elements	: RESCUE REMEDY				
Standard Character Claim	: No		10 Page 1 Vall William		EX III BETTATU (PERSTATU BARALIA) da anticologica de agregor (colo
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* Goods and Service	5				
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▼ Basis Information (	Case Level)				
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Filed ITU:	No	Currently ITU: No		Amended ITU: N	10
Filed 44D:	No	Currently 44D: No	aglidang maganggan galakat palakat pilop	Amended 44D: N	lo
Filed 44E:	No	Currently 44E: No		Amended 44E: N	lo
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★ Attorney/Correspon	idence Information				
Attorney of Record					
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	Correspondent Name/Address: DON	
		ON & VANDERHYE PC
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Domestic Rep	resentative - Not Found	
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Date	Description	Proceeding Number
Aug. 25, 2010	COUNTERCLAIM OPP. NO. 999999	195315
Apr. 22, 2008	CASE FILE IN TICRS	
Jun. 12, 2003	REGISTERED AND RENEWED (FIRST RENE	EWAL - 10 YRS)
Jun. 12, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/	SEC. 9 GRANTED
Apr. 09, 2003	REGISTERED - COMBINED SECTION 8 (10-	YR) & SEC. 9 FILED
Apr. 09, 2003	PAPER RECEIVED	
Jul. 18, 1989	REGISTERED - SEC. 8 (6-YR) ACCEPTED &	SEC. 15 ACK.
Mar. 27, 1989	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FIL	ED
May 10, 1983	REGISTERED-PRINCIPAL REGISTER	
Feb. 15, 1983	PUBLISHED FOR OPPOSITION	
May 10, 1983	REGISTERED-PRINCIPAL REGISTER	
Jan. 11, 1983	NOTICE OF PUBLICATION	
Jan. 03, 1983	APPROVED FOR PUB - PRINCIPAL REGISTI	ER
Jan. 18, 1982	NON-FINAL ACTION MAILED	
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Address	: 644 MERRICK ROAD LYNBROOK, NEW YORK 11563	
Correspondent	2. Harroon, Hew Folk 11000	
Correspondent Name	: MYRON AMER P.C	
	: LEVER BUILDING, SUITE 310	
	114 OLD COUNTRY ROAD	
	MINEOLA, NY 11501-4477	
Domestic Representative	- Not Found	
Assignment 2 of 4	· 100(0)(0 = 1 = 1 = 1 = 1 = 1 = 1 = 1 = 1 = 1 =	
	: ASSIGNS THE ENTIRE INTEREST AND TH	
	: 0939/0315	Pages: 4
Date Recorded	The second secon	
Assignor	: No Supporting Documents	
Name	: ELLON (BACH USA) INC.	Execution Date: Dec. 15, 1992
Legal Entity Type	: CORPORATION	State or Country Where NEW YORK Organized:
Assignee		
Name:	: BFR (MOUNT VERNON) LIMITED	
Legal Entity Type:	U.K. PRIVATE COMPANY LIMITED	State or Country Where No Place Where Organized Found Organized:
Address:	THE DR. EDWARD BACH CENTRE MOUN	T VERNON, SOTWELL, WALLINGFORD OXON, UNITED KINGDOM OX10 OPZ
Correspondent		
Correspondent Name:	: NIXON & VANDERHYE	
Correspondent Address:	DONNA J. BUNTON	
	1100 NORTH GLEBE ROAD, 8TH FL. ARLINGTON, VA 22201	
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Domestic Representative Assignment 3 of 4		
Assignment 3 of 4		E GOODWILL
Assignment 3 of 4	- Not Found  ASSIGNS THE ENTIRE INTEREST AND TH	E GOODWILL Pages: 4
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Name:	A. NELSON & CO. LIMITED	Execution Date: Aug. 12, 1994
Legal Entity Type:	PRIVATE LIMITED COMPANY	State or Country Where UNITED KINGDOM Organized:
Assignee		
Name:	BACH FLOWER REMEDIES LIMITED	
Legal Entity Type:	PRIVATE LIMITED COMPANY	State or Country Where UNITED KINGDOM Organized:
	5 ENDEAVOUR WAY WIMBLEDON LONDON SW19 9UH, ENGLAND	The state of the s
Correspondent		
Correspondent Name:	NIXON & VANDERHYE P.C.	
	DONNA J. BUNTON 1100 NORTH GLEBE ROAD, 8TH FLOOR ARLINGTON, VIRGINIA 22201	
Domestic Representative -	Not Found	

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Leç	jal Entity Type:	PRIVATE LIMITED COMPANY		UNITED I	KINGDOM

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		State or Country Where Organized:
→ Attorney/Corres	spondence Information	
Attorney of Record		
Attorney N	lame: Donna J. Bunton	Docket Number: 141-95
Correspondent		
Correspo	ndent DONNA J BUNTON	
Name/Add	Iress: NIXON & VANDERHYE PC	
	1100 N GLEBE RD 8TH FL ARLINGTON, VIRGINIA 22201-4714	
	UNITED STATES	
Domestic Represent	ative	
	tative Nixon & Vanderhye P.C.	
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	Use: Section 8 - Accepted	
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TM Staff Information	- None	
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Current Loca	tion: SCANNING ON DEMAND	Date in Location: Aug. 30, 2007
Assignment Ab	stract of Title Information	
Summary		<b>▼</b> Conveyance Filter
Total Assignm	ents: 2	Registrant: A. Nelson & Co. Limited
Assignment 1 of 2	2	
Conveya	ance: ASSIGNS THE ENTIRE INTEREST AND TH	E GOODWILL
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Name:	BFR(MOUNT VERNON) LIMITED	Execution Date: Nov. 11, 1993
Legal Entity Type:	UK PRIVATE LIMITED COMPANY	State or Country Where No Place Where Organized Found Organized:
Assignee		
Name:	A. NELSON & CO. LIMITED	
Legal Entity Type:	UK PRIVATE LIMITED COMPANY	State or Country Where No Place Where Organized Found Organized:
Address:	5 ENDEAVOUR WAY WIMBLEDON LONDON EN	GLAND SW19 9UH
Correspondent		
Correspondent Name:	NIXON & VANDERHYE P.C.	
Correspondent Address:	DONNA J. BUNTON 1100 NORTH GLEBE ROAD, 8TH FL. ARLINGTON, VA 22201	
Domestic Representative	- Not Found	
Assignment 2 of 2		
	ASSIGNS THE ENTIRE INTEREST AND THE GO	ODWILL
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Supporting Documents:	No Supporting Documents	
Assignor		
Name:	A. NELSON & CO. LIMITED	Execution Date: Aug. 12, 1994
Legal Entity Type:	PRIVATE LIMITED COMPANY	State or Country Where UNITED KINGDOM Organized:
Assignee		
Name:	BACH FLOWER REMEDIES LIMITED	
Legal Entity Type:	PRIVATE LIMITED COMPANY	State or Country Where UNITED KINGDOM Organized:
Address:	5 ENDEAVOUR WAY WIMBLEDON LONDON SW19 9UH, ENGLAND	
Correspondent		
Correspondent Name:	NIXON & VANDERHYE P.C.	
Correspondent Address:	DONNA J. BUNTON 1100 NORTH GLEBE ROAD, 8TH FLOOR	
	ARLINGTON, VIRGINIA 22201	

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us	Serial Number:	75320219	Application Filing Date	: Jul. 07, 1997
US Regist	ration Number:	2517685	Registration Date	: Dec. 11, 2001
	Register:	Principal		The second secon
	Mark Type:	Trademark		
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Pι	ublication Date:	May 12, 1998	Notice of Allowance Date	: Aug. 04, 1998
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▼ Goods a  Note: The following s     • Brackets [.]     • Double pare     • Asterisks * Intern	Registrations:  Ind Services  ymbols indicate indicate deleted enthesis ((.)) ide * identify addition  For: national Class: Class Status: Basis: First Use:  Class Status: For: national Class: Class Status: For: for: for: national Class: Class Status: First Use: First Use: First Use:	that the registrant/owner in goods/services; ntify any goods/services in the general form of the general f	not claimed in a Section 15 affidavit of incontestability; and goods/services.  Itical preparation made from flower extracts for alleviating e  U.S Class:  Use in Commerce:  U.S Class:  U.S Class:  U.S Class:	emotional and mental stress  2 006, 018, 044, 046, 051, 052  2 Jan. 15, 2001  Essential oils) extracted from plants and flowers  4 046  Jan. 15, 2001
▼ Goods a  Note: The following s     • Brackets [.]     • Double pare     • Asterisks * Intern	ymbols indicate indicate deleted anthesis ((.)) ide deleted anthesis ((.))	that the registrant/owner had goods/services; ntify any goods/services in the goods in the	not claimed in a Section 15 affidavit of incontestability; and goods/services.  Itical preparation made from flower extracts for alleviating extracts for alleviating extracts.  U.S Class:  Use in Commerce:  U.S Class:  U.S Class:  Currently Use: Yes  Currently Use: Yes  Currently ITU: No	emotional and mental stress  : 006, 018, 044, 046, 051, 052  : Jan. 15, 2001  essential oils) extracted from plants and flowers  046  Jan. 15, 2001  Amended Use: No Amended ITU: No
▼ Goods a  Note: The following s     • Brackets [.]     • Double pare     • Asterisks * Intern	registrations:  Ind Services  Ind Services  Indicate deleted anthesis ((.)) ide  * identify addition  For: Inational Class: Class Status: Basis: First Use:  Class Status: Basis: First Use:  Formational Class:  Class Status:  For: Indicate deleted	that the registrant/owner hall goods/services, ntify any goods/services in the goods/ser	not claimed in a Section 15 affidavit of incontestability; and goods/services.  Itical preparation made from flower extracts for alleviating extra	emotional and mental stress  2 006, 018, 044, 046, 051, 052  2 Jan. 15, 2001  Essential oils) extracted from plants and flowers  4 046  Amended Use: No Amended ITU: No Amended 44D: No

#### ▼ Current Owner(s) Information

Owner Name: Bach Flower Remedies Limtied

Owner Address: 83 Parkside

Nelsons House

Wimbledon, London SW195LP

UNITED KINGDOM

Legal Entity Type: PRIVATE LIMITED COMPANY

State or Country Where UNITED KINGDOM

Organized:

### → Attorney/Correspondence Information

Attorney of Record

Attorney Name: DONNA J BUNTON Docket Number: 141,146

Correspondent

Correspondent DONNA J. BUNTON Name/Address: NIXON & VANDERHYE 901 N. GLEBE ROAD

Correspondent e-mail: nioxonptomail@nixonvan.com

11TH FLOOR

ARLINGTON, VIRGINIA 22203-1808

UNITED STATES

Phone: 703-816-4003

Fax: 703-816-4100

Correspondent e-mail Yes Authorized:

**Domestic Representative** 

Domestic Representative NIXON & VANDERHYE PC

Name:

### - Prosecution History

Feb. 13, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - MAILED	
Feb. 10, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Feb. 10, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	71378
Feb. 10, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	71378
Oct. 25, 2011	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	71378
Oct. 25, 2011	PAPER RECEIVED	
Oct. 24, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888 88888
Oct. 24, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 25, 2010	COUNTERCLAIM OPP. NO. 999999	195315
Mar. 29, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	71378
Mar. 29, 2007	ASSIGNED TO PARALEGAL	71378
Mar. 02, 2007	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Mar. 02, 2007	PAPER RECEIVED	
Jan. 26, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 08, 2007	CASE FILE IN TICRS	
Dec. 11, 2001	REGISTERED-PRINCIPAL REGISTER	
Jul. 25, 2001	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 25, 2001	STATEMENT OF USE PROCESSING COMPLETE	
Jun. 12, 2001	USE AMENDMENT FILED	
Mar, 08, 2001	EXTENSION 5 GRANTED	
Jan. 29, 2001	EXTENSION 5 FILED	
Sep. 29, 2000	EXTENSION 4 GRANTED	
Aug. 04, 2000	EXTENSION 4 FILED	
Jan. 21, 2000	EXTENSION 3 GRANTED	
Jan. 21, 2000	EXTENSION 3 FILED	

	EXTENSION 2 GRANTED			
Aug. 02, 1999	EXTENSION 2 FILED			
Mar. 12, 1999	EXTENSION 1 GRANTED			
Feb. 04, 1999	EXTENSION 1 FILED			
Aug. 04, 1998	NOA MAILED - SOU REQUIRED FROM AP	PLICANT		
May 12, 1998	PUBLISHED FOR OPPOSITION			
Apr. 10, 1998	NOTICE OF PUBLICATION			
Feb. 10, 1998	APPROVED FOR PUB - PRINCIPAL REGIS	TER		
Feb. 05, 1998	ASSIGNED TO EXAMINER		74309	
- Maintono	nce Filings or Post Registration In	formation		
	ontinued Use: Section 8 - Accepted	ioinianon		
Affidavit of C	renter i kantantan i kantan kantan sakan kang iki ilah perdapat dapat dapat di dapat sang bahar basa. Kang dapat dap	ioimauon		
Affidavit of C	ontinued Use: Section 8 - Accepted	Omaton		
Affidavit of Co	ontinued Use: Section 8 - Accepted contestability: Section 15 - Accepted	Officialion		
Affidavit of Co	contestability: Section 8 - Accepted  contestability: Section 15 - Accepted  Renewal Date: Dec. 11, 2011	ormation.		
Affidavit of Co	continued Use: Section 8 - Accepted contestability: Section 15 - Accepted Renewal Date: Dec. 11, 2011 and Location Information commutation - None			



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	RESCUE	TSDR on 2013-02-13 13:25:53 EST
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US Serial Number:	77485289	Application Filing Date: May 28, 2008
Register:	Principal	And Angulary Angular Conference on the Conferenc
Mark Type:		
	An opposition after publicatio Trademark Trial and Appeal I	on is pending at the Trademark Trial and Appeal Board. For further information, see TTABVUE on the Board web page.
Status Date:		
Publication Date:	Sep. 27, 2011	
- Mark Information		Collapse All
Mark Literal Eleme		
Standard Character Cla	aim: Yes. The mark consists	of standard characters without claim to any particular font style, size, or color.
Mark Drawing T	ype: 4 - STANDARD CHARA	ACTER MARK
Related Propertie	es Information	
Claimed Ownership of Registratio		7761,77981555,77983503,and others
Parent	Of: 77981555,77983503	
Foreign Informat	ion	
Priority Claim	red: Yes	
Foreign Applicat Numl		Foreign Application Filing Nov. 29, 2007 Date:
Foreign Registrat Numl		Foreign Registration Date: Apr. 12, 2008
Fore Application/Registrat	ign UNITED KINGDOM	Foreign Expiration Date: Nov. 29, 2017
Coun		
Goods and Servi	ces	
ote:		
	ate that the registrant/owner I	has amended the goods/services:
Brackets [] indicate deli		
	identity any goods/services r ditional (new) wording in the g	not claimed in a Section 15 affidavit of incontestability; and goods/services.
	ND FLOWERS FOR MEDICII	- INAL PURPOSES; MEDICINAL DRINKS CONTAINING FLOWER REMEDIES; MEDICATED NDY, MEDICATED GEL CAPSULES AND MEDICATED CHEWING GUM CONTAINING FLOWER REMEDIE
CONFECT DIETARY CONTAIN	SUPPLEMENTS PREPARED ING FLOWER REMEDIES FO	D FROM PLANTS AND FLOWERS; DIETARY AND NUTRITIONALLY FORTIFIED FOOD PRODUCTS OR TREATING EMOTIONAL SHOCK, TRAUMA AND OTHER EMOTIONAL AILMENTS AND CONDITIONS
CONFECT DIETARY CONTAIN HOMEOP	SUPPLEMENTS PREPARED ING FLOWER REMEDIES FO	D FROM PLANTS AND FLOWERS; DIETARY AND NUTRITIONALLY FORTIFIED FOOD PRODUCTS OR TREATING EMOTIONAL SHOCK, TRAUMA AND OTHER EMOTIONAL AILMENTS AND CONDITIONS PREPARATIONS MADE FROM FLOWER EXTRACTS FOR ALLEVIATING EMOTIONAL AND MENTAL
CONFECT DIETARY CONTAIN HOMEOP, STRESS;	SUPPLEMENTS PREPAREI ING FLOWER REMEDIES FO ATHIC PHARMACEUTICAL I NUTRITIONAL DRINKS FOR	D FROM PLANTS AND FLOWERS; DIETARY AND NUTRITIONALLY FORTIFIED FOOD PRODUCTS OR TREATING EMOTIONAL SHOCK, TRAUMA AND OTHER EMOTIONAL AILMENTS AND CONDITIONS PREPARATIONS MADE FROM FLOWER EXTRACTS FOR ALLEVIATING EMOTIONAL AND MENTAL
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CONFECT DIETARY CONTAIN HOMEOP STRESS; International 005 - Prim Class: Class Status: ACTIVE Basis: 44(e)	SUPPLEMENTS PREPAREI ING FLOWER REMEDIES FO ATHIC PHARMACEUTICAL I NUTRITIONAL DRINKS FOR PARTY Class	D FROM PLANTS AND FLOWERS; DIETARY AND NUTRITIONALLY FORTIFIED FOOD PRODUCTS OR TREATING EMOTIONAL SHOCK, TRAUMA AND OTHER EMOTIONAL AILMENTS AND CONDITIONS PREPARATIONS MADE FROM FLOWER EXTRACTS FOR ALLEVIATING EMOTIONAL AND MENTAL R ANIMALS
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Filed 44D:	/es	Currently 4	<b>4D</b> ∙ No	Amended 44D: No
Filed 44E: ì		Currently 4	No. 7	Amended 44E: No
Filed 66A: N		Currently 6		OCCUPATION AND AND AND AND AND AND AND AND AND AN
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→ Current Owner(s) Inf	ormation			
그는 사이를 가입하다면 살맞는 화면이다.	Bach Flower Remedies Lin	nited	PROPERTY MATERIAL AND	
Owner Address: 1	Nelsons House 83 Parkside			
	Wimbledon, London			
	JNITED KINGDOM			
Legal Entity Type: §	PRIVATE LIMITED COMP	ANY	State or Co	ountry Where UNITED KINGDOM Organized:
→ Attorney/Correspond	lence Information			
Attorney of Record				
Attorney Name: [	Donna I Bunton		no.	ket Number: 141-548
Correspondent				
Correspondent [	DONNA J BUNTON			
	NIXON & VANDERHYE PO			
	901 NORTH GLEBE ROAD ARLINGTON, VIRGINIA 22			
	JNITED STATES	.200 1000		
Phone: 7	703-816-4003	VIIIAVIITTINII IN TITTO A. Il a d'arreformation de comme		Fax: 703-816-4100
Correspondent e-mail: ɪ	nixonptomail@nixonvan.	com	Correspo	ndent e-mail Yes
				Authorized:
Domestic Representative				
Domestic Representative [ Name:	Donna J. Bunton			Phone: 703-816-4003
Fax: 7	703-816-4100	The second secon		
Domestic Representative e- r	nixonptomail@nixonvan.	com	Domestic Repre	esentative e- Yes
mail:				Authorized:
▼ Prosecution History				
Date Descrip	tion			Proceeding Number
Dec. 28, 2012 DIVISIONA	L PROCESSING COMPLI			and the state of t
	L REQUEST RECEIVED			
Sep. 14, 2012 PAPER RE	CEIVED			
May 01, 2012 OPPOSITIO	ON TERMINATED NO. 999	9999		203544
May 01, 2012 OPPOSITIO	ON DISMISSED NO. 9999	99		203544
Mar. 26, 2012 OPPOSITIO	ON INSTITUTED NO. 9999	<del>)</del> 99		204449
Jan. 26, 2012 OPPOSITIO	ON INSTITUTED NO. 9999	)99		203544
Oct. 20, 2011 EXTENSIO	N OF TIME TO OPPOSE	RECEIVED		
Sep. 27, 2011 OFFICIAL 0	GAZETTE PUBLICATION	CONFIRMATION E-MAIL	.ED	
	D FOR OPPOSITION			
	E PUBLICATION REVIEN	V COMPLETED		
	D FOR PUB - PRINCIPAL			
	'S AMENDMENT ENTER			
	TON OF EXAMINERS AM			6328
	S AMENDMENT E-MAILE			6328
	S AMENDMENT -WRITTE			76734
	ALLOWANCE COUNT W			
	VN FROM PUB - OG REV			76621
Jul. 21, 2011 LAW OFFIC	E PUBLICATION REVIEW	V COMPLETED		68552

Jul. 18, 2011	EXAMINER'S AMENDMENT ENTERED	66179
Jul. 18, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jul. 18, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Jul. 18, 2011	EXAMINERS AMENDMENT -WRITTEN	76734
Jun. 24, 2011	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Jun. 24, 2011	LETTER OF SUSPENSION E-MAILED	6332
Jun. 24, 2011	SUSPENSION LETTER WRITTEN	76734
Jun. 03, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	68552
Jun. 03, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	68552
May 23, 2011	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Mar. 15, 2011	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Mar. 15, 2011	LETTER OF SUSPENSION E-MAILED	6332
Vlar. 15, 2011	SUSPENSION LETTER WRITTEN	76734
Var. 14, 2011	DIVISIONAL PROCESSING COMPLETE	
Feb. 17, 2011	DIVISIONAL REQUEST RECEIVED	
Vlar. 09, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
eb. 17, 2011	TEAS REQUEST TO DIVIDE RECEIVED	
Sep. 22, 2010	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68552
Sep. 22, 2010	ASSIGNED TO LIE	68552
Mar. 17, 2010	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76539
Sep. 16, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76539
Mar. 13, 2009	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
/Aar. 13, 2009	LETTER OF SUSPENSION E-MAILED	6332
/lar. 13, 2009	SUSPENSION LETTER WRITTEN	76734
/lar. 13, 2009	AMENDMENT FROM APPLICANT ENTERED	76539
/lar. 13, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	76539
Mar. 10, 2009	PAPER RECEIVED	
/lar. 11, 2009	ASSIGNED TO LIE	76539
Sep. 10, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Sep. 10, 2008	NON-FINAL ACTION E-MAILED	6325
Sep. 10, 2008	NON-FINAL ACTION WRITTEN	76734
Sep. 10, 2008	ASSIGNED TO EXAMINER	76734
lun. 02, 2008	NEW APPLICATION ENTERED IN TRAM	
r TM Staff a	nd Location Information	
TM Staff Infor	mation	
	TM Attorney: HAYES, GINA CLARK Law Office Assigned	: LAW OFFICE 103
File Location		
Curre	nt Location: DIVISIONAL UNIT Date in Location	: Dec. 28, 2012